

HOUSE BILL 2590
By McDonald

AN ACT to amend Tennessee Code Annotated, Title 56, relative to direct access to certain health care providers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, is amended by adding Section 2 of this act as a new, appropriately designated part.

SECTION 2. (a) For the purpose of this act, the term "health insurance issuer" means an entity regulated under this title that offers health insurance coverage, which shall include any individual, franchise, blanket or group health insurance policy, medical service plan contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society contract, or such contract with a health maintenance organization or managed care organization but such term specifically does not include health care provided under the TennCare program.

(b) A health insurance issuer shall, for women enrollees or subscribers, designate ob/gyns as primary care providers.

(c) If a plan or contract of a health insurance issuer provides for an annual visit to a specialist or subspecialist, including but not limited to an annual dental or eye examination or visit to an ob/gyn, the plan or contract shall not require the enrollee or subscriber to first obtain a referral from a primary care physician to the specialist or subspecialist for such visit.

(d)(1) Each health insurance issuer shall develop and maintain written policies and procedures to designate specialists or subspecialists, as approved by the medical director of

60000001

60000001

010752

01075218

such plan, as primary care providers of enrollees or subscribers with life threatening, chronic, disabling or degenerative conditions or diseases which require ongoing specialty care. The policies and procedures shall provide an appeals process for any denials of such specialists or subspecialists as primary care providers.

(2) The commissioner of health shall, by rule, designate those categories of specialists or subspecialists which must be designated as primary care providers for those meeting the requirements of subdivision (1).

SECTION 3. This act shall take effect July 1, 1998, the public welfare requiring it, and shall apply to all contracts or plans to which this act applies issued or renewed on or after such date.